

**Senior Summit on Consumer Protection Issues
Sacramento Convention Center
May 12, 2006**

- Good morning – greetings from AoA.
- Assistant Secretary Josefina Carbonell really wanted to be here with you and her good friends Secretary Rosario Marin and Director Charlene Zettel.
- We wish to acknowledge them for their efforts and Governor Schwarzenegger for his leadership in this area.
- Assistant Secretary Carbonell had to answer to another calling today – that of her boss – President Bush.
- She has been with him throughout the week – encouraging more beneficiaries to enroll in the Medicare prescription drug program.
- But I am so pleased to be here.
- I am very impressed with the agenda:
 - Focus on partnerships
 - Pulling together this caliber of representatives/agencies interested and committed to protecting the rights of seniors and empowering them to protect themselves and maintain their independence.

- You are to be commended for pulling together the right ingredients to produce better awareness and protection for California's senior population.
- Joining you today reminds me my beginnings at the Missouri Department on Aging working with then State Attorney General John Ashcroft on a Crimes Against the Elderly Initiative that brought together law enforcement, APS, CMS, and community based organizations to learn about issues of elder abuse, neglect and financial exploitation.
- It is important that you have included issues of limited English proficiency - since these individuals are prime targets for scams and fraudulent practices – and representatives from the banking industry.
- You have the right mix – consistent with what we see as the most successful models/approaches in the country.
- Keep up the great work.
- How timely to hold this conference during May – Older Americans Month – with “Choices for Independence” as this year's theme – and also during the year of reauthorization of the Older Americans, which is enjoying bipartisan support consistent with being the top resolution selected by the delegates to the 2005 White House Conference on Aging.

- “Choices for Independence” is the centerpiece of our proposals for reauthorization of the Older American Act. The Choices proposal embodies three interrelated strategies for promoting community-based long-term care options for the elderly:
 - empowering consumers to make informed decisions, including streamlining access to needed care;
 - helping high-risk individuals avoid unnecessary nursing home placement; and
 - assisting older people with lifestyle and behavioral changes proven to reduce their risk of disease and disability.
- At the Administration on Aging our goal is to ensure the dignity and independence of older citizens, and to support their overwhelming desire to live in their own homes and communities for as long as possible, which is their ultimate right.
- Each year through the Older Americans Act we provide direct support to millions of older individuals and family caregivers. Our services include congregate and home delivered meals and transportation for seniors, and respite care and other services for caregivers – anything that promotes a senior’s right to autonomy and independence.

- But all our efforts to keep seniors living in their own homes and participating fully in community life can be undermined by financial exploitation and consumer fraud. We can encourage seniors to plan for their long-term care living and make lifestyle changes that will delay or prevent chronic illness and disability, but these efforts will mean nothing for those seniors who lose their savings or their homes due to scams or financial exploitation. We need your continued help to prevent this from occurring.
- Financial exploitation is a major threat to the well-being and independence of seniors. According to our most recent National Elder Abuse Incidence Study, adult protective services agencies substantiate more cases of financial abuse than physical abuse each year.
- Seniors are prime targets for various scam artists because of their assets. 80 percent of elderly households own their own homes, yet many are on fixed incomes and are house rich but cash poor and need access to credit to pay for repairs, property taxes, or for other expenses.
- We've heard of far too many seniors who have lost their homes and their independence at the hands of home repair scam artists, predatory lenders and others who seek to capitalize on their need for cash. Abuses of powers of attorney, conservatorships and guardianships are also common ways in which seniors lose their assets.

- At the AoA, Assistant Secretary Carbonell has made protecting seniors from abuse, neglect, and exploitation one of our top priorities.
- We think of how each Older Americans Act program, including the full range of home and community-based care services we provide, contributes to reducing the risk factors for elder abuse and exploitation by providing information to seniors and by countering isolation and depression.
- We fund specific elder rights programs. Currently, our emphasis is on developing public-private partnerships that build and enhance the capacity of our providers and other professionals to prevent, identify, and respond to elder fraud, abuse, neglect and exploitation.
- I've been asked to briefly describe some of AoA's efforts in this area, including:
 - our elder rights formula grants,
 - two of our elder rights resource centers, , and
 - our partnership with national financial institutions.
- In the Older Americans Act, Title VII sets up a construct for states to develop a "states elder rights system" in order to foster coordination and collaboration among Federal/State/Local, public and private agencies, organizations, and resources focused on:
 - Protecting rights in LTC facilities via the LTC Ombudsman Program
 - The development or coordination of a system of elder abuse, neglect, and exploitation prevention and protection, and

- The development of legal assistance for vulnerable populations.
- This system is augmented by:
 - Title III –Legal assistance grants to states and
 - Title IV –Legal hotlines and legal assistance resource centers
- Through our formula grants, states develop activities designed to protect seniors from abuse, neglect and exploitation, including efforts to train law enforcement personnel, develop and distribute educational materials to our aging services network providers and other “gatekeepers” such as mail carriers and bank tellers, conduct public awareness campaigns, and create community coalitions and multi-disciplinary teams. Some of our programs also use this funding to coordinate their activities with crime prevention partnerships between seniors and law enforcement, or TRIADs.
- Elder abuse is a complex phenomenon that requires a coordinated response from many disciplines, both public and private. That’s why the model you have here at today’s summit is on the right track. It demonstrates a desire to enhance the coordination and partnerships necessary to combat elder abuse, neglect and exploitation.
- In the spirit of “coordination,” our funding helps support the development of multi-disciplinary teams.

- The characteristics of these teams vary, but most meet regularly to discuss specific cases, provide cross-training and community education, and identify and fill gaps in the service system. They often include a wide range of public and private professionals, including law enforcement personnel, medical professionals, APS workers, social service providers, and representatives from banks and other financial institutions.
- For example, AoA helps to support:
 - Here in Orange County, a Fiduciary Abuse Specialist Team comprised of 50 multi-disciplinary public and private professionals, who meet monthly to discuss exploitation cases and provide community and professional education sessions to thousands of people.
 - In Sonoma County, the Elder Abuse Prevention Council created a Court Advocacy Workgroup made up of senior volunteers. The workgroup follows cases of elder abuse and exploitation to help raise their visibility within the judicial system. Interestingly, 80% of their current cases are financial exploitation cases.
- Our formula grants also fund approximately 1,000 senior legal services providers nationwide who provide over 1 million hours of legal assistance per year. These legal providers collaborate with the private bar to help older Americans and their caregivers address threats to home ownership such as predatory lending and consumer scams and assist seniors in recovering assets lost as a result of these scams.

- Our legal providers also prevent exploitation by helping with conservatorships, powers of attorney and guardianships, and they stop exploitation by removing these legal instruments when they are being abused.
- To support state and local elder rights efforts, AoA funds the National Center on Elder Abuse and the National Consumer Law Center.
- The National Center on Elder Abuse is a cooperative agreement with AoA and five partner organizations:
 - The National Association of State Units on Aging
 - The National Adult Protective Services Association
 - The ABA Commission on Law and Aging
 - The National Committee for the Prevention of Elder Abuse, and
 - The Clearinghouse on Abuse and Neglect of the Elderly
- The Center disseminates information to professionals and the public, and it provides technical assistance and training to states and community-based organizations.
- It also has undertaken a number of efforts to promote the development and effectiveness of multi-disciplinary teams and other collaborative efforts.
- In fact, they have completed a national survey of multi-disciplinary teams and developed a manual for those wishing to start or revitalize their own team.

- In 2004 the Center launched a project to enhance the capacity of AoA's aging network service providers to develop and maintain elder rights networks and multi-disciplinary teams.
- Though the Center, AoA recently funded six new community initiatives designed to develop and test interventions to reach underserved and isolated elders, including limited English speaking elders, who are victims of or at-risk of elder abuse. The overall purpose of the grants is to enhance community partnerships, increase awareness, improve services, and link these target groups more effectively to services and the services delivery support network.
- The Center is also supporting the development of elder abuse fatality review teams. These multidisciplinary, multi-agency teams examine deaths resulting from elder abuse to prevent similar deaths in the future. California is highlighted as a real leader in implementing these teams, having developed the first one in the country. I understand you now have several operating in the state. Through the Center, we were able to recently fund the creation of new teams in Illinois, New York, and Virginia.
- The Center also houses our Elder Abuse Prevention Promising Practices Database – a searchable database that includes information on a wide range of elder rights projects, including:
 - Financial Abuse/Exploitation prevention promising practices and
 - Fraud prevention promising practices.

- The AoA also provides grant funding to The National Consumer Law Center, one of the country's premier consumer advocacy organizations.
- We know that consumer issues relating to shelter and fraudulent sales practices are among the most common legal problems of the elderly.
- The consumer law center provides support and technical assistance to elder law attorneys, and it develops brochures and other informational materials for seniors and advocates on a wide range of consumer law topics.
- Examples of these materials that relate to your workshops today include:
 - Stop Predatory Lending: A Guide for Legal Advocates
 - High Cost Home Loans: Don't be a Target
 - What To Do If You've Become The Victim Of Telemarketing Fraud
 - Home Improvement Scams Alert
 - Protect Yourself From Identity Theft
- Finally, I would like to share a banking initiative that has great potential for protecting seniors from the threat of financial exploitation. The "BITS Fraud Prevention Toolkit" educates banking staff about financial abuse of elders and the role of banks in identifying and reporting it to APS. It evolved from a grassroots effort in Philadelphia between APS and a local Wachovia Bank branch.

- The Philadelphia Corporation for Aging APS office used funding from AoA to hire and train a financial exploitation investigator with experience in fraud and financial crimes. They then developed a partnership with Wachovia Bank for cross-training of bank personnel and increased the sharing of records to stop financial exploitation of seniors.
- This partnership had remarkable results and in their first year:
 - Wachovia referred 112 cases to APS, who then
 - referred 9 of those cases for prosecution, and
 - recovered or prevented the loss of nearly \$1.4 million of seniors' assets.
- So we decided to expand and replicate the project by addressing the fraud reduction committee of a national bank consortium, known as the BITS Financial Services Roundtable representing over 100 financial institutions, including Wachovia, Bank of America, Citigroup, and JP Morgan Chase.
- At the meeting we encouraged the other bank chains to duplicate the model developed in Philadelphia and the bankers responded with enthusiasm:
 - Wachovia has instituted the financial fraud training in all of its branches nationwide.
 - Last October BITS sent its membership a White Paper describing the initiative.

- BITS worked with the Philadelphia APS, Wachovia and us to develop the Fraud Prevention Toolkit, which was released in February of this year.
 - BITS members along with the Credit Union National Association, the National Federation of Credit Counselors, and AARP are committed to implementing the toolkit and promoting its use throughout the country.
- We are quite excited about the prospect of the Philadelphia model being adopted nationwide. It is a great example of how public and private organizations can come together to protect seniors and safeguard their autonomy and independence.
- And I'd like to applaud the California Bankers Association, which is a leader in this state for its elder exploitation training materials and efforts.
- At the AoA our overall goal is to ensure the dignity and independence of older citizens, and to support their overwhelming desire to live in their own homes and communities for as long as possible.
- But as I stated previously and as you all know so well, our efforts to promote the well-being and autonomy of seniors are undermined by financial exploitation and consumer fraud.
- So, for this reason we have made it a priority to protect seniors from these threats.

- But we need your continued help. Elder abuse, fraud and exploitation require a well-coordinated response from many disciplines, both public and private.
- You are leaders of great vision who are sensitive and responsive to the needs of seniors.
- Demographic changes will mean more seniors with more disposable income, which will likely generate more creative scams and fraudulent practices.
- Please continue your efforts to stay ahead of this trend.
- On behalf of Assistant Secretary Carbonell and the entire AoA family, thank you for all that you do to protect older Californians.